



# The Town of Elsmere

11 Poplar Avenue, Elsmere, Delaware 19805

Phone (302) 998-2215 Fax (302) 998-9920

## Application for Hearing

Board of Adjustment ☒

Planning Commission ☒

Petition # 13-06 Filing Fee: \$300 Date Received 6/26/13 Received by: BS

Subject Property: 501-B B & O Lane.

Property is: ☐ Residential ☒ Commercial

Tax Parcel # 1900900012 Zoning District: GI

Applicant name: LASZLO BRUCH

Address: 2824 Newport Gap Rd Telephone # \_\_\_\_\_

City: Wilmington State: DE Zip Code: 19808

Application for Planning Commission Review of: \_\_\_\_\_

Application for Zoning Variance Related to: \_\_\_\_\_

☐ Front yard setback

☐ Lot Coverage

☐ Rear yard setback

☐ Fencing

☐ Side yard setback

☐ Parking requirements

☐ Lot Area

☐ Signage

Application for Special Exception Use Permit for the following use: Auto-repair

Application for Appeal of an Administrative decision: \_\_\_\_\_

By: \_\_\_\_\_ Date: \_\_\_\_\_

For the following reasons: \_\_\_\_\_

Application for relief other than above: \_\_\_\_\_

A Council – Manager Municipality  
Located on the Net at [townofelsmere.com](http://townofelsmere.com)

State reasons for this request: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Has a previous application for this property been filed with the Town? ☒ Yes ☐ No

If yes, Petition # 83-5, 83-7, 91-8

If the applicant is not the Legal Owner of the property:

Legal owner information:

Name: MARIO MEDORI

Address: 104 Bentley Lane Telephone # 302-666-8432

City: Wilmington State: DE Zip Code: 19807

Please submit the following with this petition:

- A copy of a plot plan showing the following: location of the property; a diagram showing the layout, size, and location of existing structures on the property; a diagram showing the layout, size, and location of any proposed structures on the property.
- A copy of any deed restrictions on the property.  
NOTE: THE BOARD OF ADJUSTMENT OR PLANNING COMMISSION CANNOT APPROVE ANY APPLICATION PROHIBITED BY DEED RESTRICTIONS.
- Filing fee, payable to the Town of Elsmere.

The undersigned hereby certifies that the legal owner of the subject property is aware of, and agrees to the filing of this application, that the information submitted herein is correct, and agrees to be bound by any decision of the Town of Elsmere Board of Adjustment with respect to the subject property.

**NOTE: The legal owner or his/her authorized representative must sign this form.**

Applicant's Signature: [Signature] Date: 5/02/13

Legal Owner's Signature: [Signature] Date: 5/2/13

In addition to the persons listed above please send copies of all correspondence to:

Name: \_\_\_\_\_

Address: \_\_\_\_\_ Telephone # \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Site Analysis  
Petition 13-06

**Property Owner:** Mario Medori  
**Zoning District:** GI  
**Address:** 501-B B&O Lane  
**Parcel No.:** 1900-900-012

**Primary Use:** Commercial

LOT COVERAGE CALCULATIONS

<b>Lot Area in Sq. Ft.:</b>	8,712	Sq. Ft.
<b>Allowable Lot Coverage:</b>	7,405	Sq. Ft. (85%)
<b>Total Coverage:</b>	8,646	Sq. Ft. (99%)
❖ Building=	3,960	Sq. Ft.
❖ Front Porch =	N/A	Sq. Ft.
❖ Garage=	N/A	Sq. Ft.
❖ Parking=	4,686	Sq. Ft.
❖ Rear Patio=	N/A	Sq. Ft.

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**Proposed Addition:** 0 Sq. Ft.

**Proposed Total:** No Change Sq. Ft. (99%)

**Conclusion:** There are no proposed changes to the existing lot coverage.

**Required Setbacks:** Front: 20' Rear: 20'  
Side: 0' Both Sides: 0'

**Existing Setbacks:** Front: 0' Rear: 0'  
Side: 0' Both Sides: 0'

**Proposed Setbacks:** Front: N/A Rear: N/A  
Side: N/A Both Sides: N/A

**Conclusion:** There are no proposed changes to the existing setbacks.

STATEMENT OF FACT

1) The parcel is currently a "legal non-conforming use" based on the following facts.

a. The parcel is located in the GI District and is 8,712 sq. ft. Town of Elsmere Code requires that a parcel located in the GI District have a minimum lot size of 87,120 sq.ft.

b. The lot is currently covered 99% with impervious surface. Town of Elsmere Code requires that a lot in the GI District be covered no more than 85%.

- 2) The subject parcel is located within the FEMA 100-year flood plain.
- 3) Since the building was constructed based on permits issued by the Town, it is considered to be a "Legal non-conforming use".

#### **REQUEST BY THE APPLICANT**

The applicant is requesting a Special Exception Use, which is permitted under Town of Elsmere Code 225-28(D) for the operation of a motor vehicle service station.

#### **ISSUE(S)**

- 1) The requested use is a Special Exception under Town of Elsmere Code.

#### **GRANTING OF THE PETITION**

Should the following petition be approved, the following would need to occur:

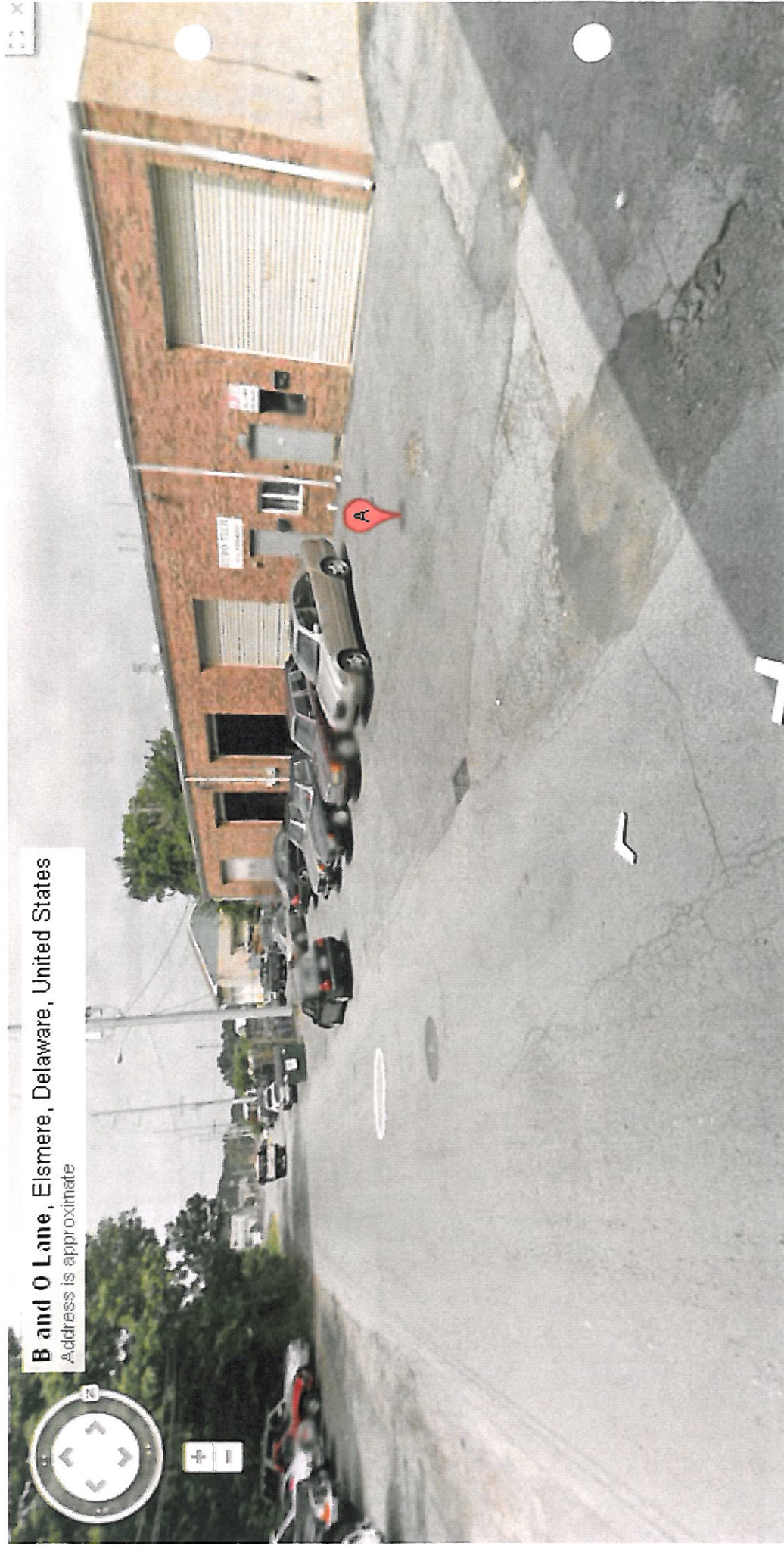
- 1) A Special Exception Use would need to be granted for the operation of a motor vehicle service station under Town of Elsmere Code 225-28(D).





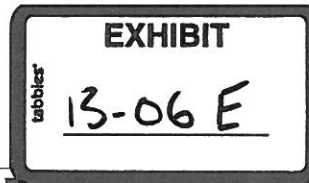


B and O Lane, Elsmere, Delaware, United States  
Address is approximate



*Mario Medori*

104 Bentley Lane ■ Wilmington, Delaware 19807



(302) 239-4550

July 2<sup>nd</sup>, 2013

Town of Elsmere  
11 Poplar Avenue  
Elsmere, DE 19805

RE: 501 B & O Lane – Deed Restrictions

To Whom It May Concern:

Please be advised that to the best of our knowledge there are no deed restrictions on the above referenced property owned by Mario and Mary Medori.

Sincerely,

A handwritten signature in black ink, appearing to be "Mario Medori", with a long horizontal stroke extending to the right.

Mario Medori  
Owner



